

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
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Paul R. Sanberg, et al.)	
)	
Serial No.: 10/777,425)	Art Unit: 1651
)	
Filed: February 12, 2004)	Examiner: Taeyoon Kim
)	
For: COMPOSITIONS AND METHODS)	
FOR USING UMBILICAL CORD)	
BLOOD PROGENITOR CELLS IN)	
THE TREATMENT OF)	
MYOCARDIAL INFARCTION)	

RULE 132 DECLARATION

(37 C.F.R. § 1.132)

Upon being duly cautioned, I, Walter Low, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that false statements and the like so made are punishable by fine, imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application and any patent issued pursuant thereto.

I have worked in the neuroscience field for about 30 years, studying stem cells and neural progenitor cells for the repair of the nervous system as well as the transplantation of neural progenitor cells to restore function in animal models of Parkinson, Huntington, and Alzheimer disease, ataxia, and stroke. I also work as a professor in the Department of Neurosurgery, Associate Head for Research, and as the Director of the Neurosurgery Research Laboratories at the University of Minnesota. I am not employed by the Applicants, licensee, or inventors, except as serving as an independent consultant in reviewing the current application. I do not have any interest in the patenting of the application.

I have reviewed the specification for the U.S. Application 10/777,425, "Compositions and Methods for using Umbilical Cord Progenitor Cells in the Treatment of Myocardial Infarction". Upon review of the entire specification, the protocols of the application indicate

that the cord blood cells can be administered without culturing. Example 1 in the application is especially clear with regard to the administration of cord blood cells that have not been cultured. The application specifically states that the cord blood cells are isolated, and that these cells are administered at one million cells. There is no discussion of culturing, which indicates to one of skill in the art that the cells were not cultured prior to administration. Further, other examples of the invention utilize cells after culturing, with the specific conditions described, which further indicates to one of skill in the art that the cells in Example 1 were not cultured, as no culturing conditions were described. As one of skill in the field, I would interpret the specification of U.S. Application 10/777,425 to disclose administering cord blood cells without culturing the cells.

Very respectfully,

A handwritten signature in cursive script, appearing to read "Walter C. Low", followed by a horizontal line.

Dated: April 19, 2011

Walter Low